



CITY OF
PORTLAND, OREGON
OFFICE OF THE CITY ATTORNEY

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July 19, 2019

Juan C. Chavez
Oregon Justice Resource Center
PO Box 5248
Portland, OR 97208

Dear Mr. Chavez:

Thank you for your letter of July 15, 2019. As you know, on June 29, 2019, the Portland Police Bureau faced a rapidly evolving protest situation in which “milkshakes” were indisputably being thrown by some people on other people. A police lieutenant was approached by a woman who was “covered about her head and shoulders with a grey colored substance that was starting to dry.” That woman told the lieutenant, “Those things are filled with ‘QUIKRETE.’” The lieutenant, who had in the past worked with Quikrete (a pre-mixed concrete) many times, observed that the substance on the woman smelled like Quikrete and was drying into a chalky consistency like drying concrete, as was material on the ground.

PPB was also aware prior to the event of a number of unconfirmed public social media posts that a quick drying concrete substance might be added to milkshakes.

Because PPB’s first concern is public safety, a tweet was issued so that members of the public could exercise appropriate caution in electing whether or not to imbibe beverages of uncertain provenance. In addition, although unrelated to the issuance of the tweet, PPB also received a report from another woman that a “milkshake” thrown on her face and body “felt caustic and was burning her eyes.”

The tweet issued by PPB accurately stated that the police had “received information” that some of the milkshakes being thrown contained quick-drying cement. It is important to note that at no time did PPB allege misbehavior or wrongdoing by any identified individual or group, including (Pop)ular (Mob)ilization or “Pop Mob” (the “unincorporated association of Portland activists” whom you represent). The tweet in question referred to only “some of the milkshakes being thrown today” and neither stated nor implied that the “milkshakes with cashew milk, coconut ice cream, and rainbow sprinkles” distributed by Pop Mob contained cement. Nor was there any allegation that Pop Mob “put cement in their drinks” let alone that they did so “for the purpose of causing harm on individuals.”

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PPB's decision to provide generalized information to the public about a possible safety risk as soon as that information became available was not tortious and does not give rise to a defamation claim, a negligence claim or a claim for intentional infliction of emotional distress.

On another note, we are concerned that members of Pop Mob have experienced "continued, unwanted threats against [their] lives" and we strongly encourage any Pop Mob members who have received such threats to report them to the Portland Police Bureau.

Thank you again for your letter. We appreciate the opportunity to provide further relevant information.

Best regards,

A handwritten signature in black ink, appearing to read "Tracy Reeve", with a long horizontal flourish extending to the right.

Tracy Reeve
City Attorney

TPR/ccj

c. Mayor Ted Wheeler
Chief Danielle Outlaw